

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

**GURPAUL SANDHU,**

Plaintiff,

v.

**EXPERIAN INFORMATION  
SOLUTIONS, INC,**

Defendants.

CAUSE NO:

**COMPLAINT**

**JURY DEMAND**

**JURISDICTION**

1. The jurisdiction of this Court attains pursuant to 15 U.S.C. section 1681(p), 15 U.S.C. section 1692k and the doctrine of supplemental jurisdiction. Venue lies in the Western District of Washington as plaintiff's claims arose from acts of the defendant having impact therein.

**PRELIMINARY STATEMENT**

2. The plaintiff Gurpaul Sandhu brings this action for damages based upon defendants' violations of the Fair Credit Reporting Act, 15 U.S.C § 1681 *et seq.* ("FCRA"), and of state law obligations brought as supplemental claims.

3. Plaintiff is a natural person and is a resident of King County, of the State of Washington and of the United States. Plaintiff is a "consumer" as defined by section 1681a(c) of the FCRA.

4. Experian Information Solutions, Inc., ("Experian"), is a company licensed to do business in the State of Washington.

5. Experian is a consumer reporting agency, as defined in section 1681(f) of the FCRA, regularly engaged in the business of assembling, evaluating, and dispersing information concerning consumers for the purpose of furnishing consumer reports, as defined in section 1681a(d) of the FCRA, to third parties.

**FACTUAL ALLEGATIONS**

6. Plaintiff's creditworthiness and privacy have been repeatedly compromised by the acts, and omissions of the defendants.

7. Plaintiff has repeatedly disputed information reported or furnished regarding his creditworthiness that associated his creditworthiness with his father, to no avail.

8. Plaintiff has contested the association of his father's bankruptcy with his creditworthiness.

9. The investigations conducted by the defendant have been negligently and/or willfully in violation of its obligations under the FCRA sections 1681e(b) and i.

10. Upon information and belief, Experian accepts and uses information from furnishers of credit including Chase Manhattan that are error prone and which result in highly inaccurate reporting.

11. The reporting accepted is not designed to comply with the 1997 amendments to the FCRA.

1 12. The improper methods are compounded by faulty investigation, reporting and suppression  
2 procedures, software and/or hardware used by Experian.

3 13. Upon information and belief, the flaws in Chase Manhattan's database and reporting  
4 methods were known to the defendants and failure to remedy them and the reporting of plaintiff's  
5 creditworthiness to third parties shows willful and/or reckless publication of false information.  
6

7 14. Exhibits 1, 2 and 4 evince plaintiff's efforts to resolve the false reporting of his  
8 creditworthiness.

9 15. Plaintiff has never filed bankruptcy and any reporting that reports him as ever being  
10 bankrupt is false.  
11

12 16. The false reporting has damaged plaintiff. Exhibits 3, 5, 6 and 7.

13 17. Plaintiff has abstained from applying for credit, has had adverse action taken on  
14 applications for credit and has suffered actual damages as a result of the willful and negligent actions of  
15 Experian.  
16

17 **STATEMENT OF CLAIMS AGAINST EXPERIAN**

18 18. In the entire course of its action, Experian willfully and/or negligently violated the  
19 provisions of the FCRA in the following respects:

- 20 a) By willfully and/or negligently failing, in the preparation of the consumer reports  
21 concerning plaintiff, to follow reasonable procedures to assure maximum possible  
22 accuracy of the information in the reports;  
23  
24 b) By willfully and/or negligently failing to comport with FCRA section 1681i;  
25  
26 c) Defaming plaintiff by publishing to third parties false information regarding his  
27 creditworthiness;  
28  
29 d) Invading the privacy of plaintiff;

1 e) Failing in its duty to prevent foreseeable injury to plaintiff.

2 **TRIAL BY JURY DEMANDED**

3 19. Plaintiff demands trial by jury on all issues so triable.

4 **PRAYER FOR RELIEF**

5 THEREFORE, Plaintiff prays that the Court grant the following relief as against  
6 Defendant:

- 7
- 8 a) actual damages;
- 9 b) statutory damages;
- 10 c) punitive damages;
- 11 d) attorney's fees; and
- 12 e) costs.
- 13

14 Respectfully submitted,

15 DATED this 28th day of September, 2004.

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20 CHRISTOPHER E. GREEN

21 Attorney for Plaintiff

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Gurpaul S. Sandhu

redacted

March 6, 2002

Sent By Certified Mail No. 7000 1670 0006 1028 8590

Return Receipt Requested

Experian Solutions, Inc.

NCAC

PO Box 9595

Allen, TX 75013-9595

Re: inaccurate credit report

Dear Sir or Madam:

My social security number is redacted. My date of birth is redacted. My address is listed above.

I dispute accounts reported by you on my credit report that should be deleted. These accounts are associated with my father who filed bankruptcy. I am an authorized user of some of these accounts, but these accounts should not be reporting on my credit. No bankruptcy should be associated with my creditworthiness. I will provide as much information as I can, but some of the account numbers have been truncated on the credit reports I was forced to buy to try resolving this issue. Where I have only a portion of the account number, I will provide all the account number information I have. Some of the accounts may be duplicates with different account numbers caused by the three credit reporting companies reporting different account numbers of the same account.

The following accounts are not mine:

- American Express account number redacted opened in October 1991.
- American Express account number 05645 redactedxxxx opened February 2000.
- American Express account number 371 redacted opened in November 1999.
- Household/CompUSA account numbers 70011 redacted and/or 35 redacted6xxxx opened January 1997.

Regarding "Credit First" account number 824 redacted, I do not recognize this as my account and I think it must be part of the account mix-up relating to me being listed as an authorized user. This misreporting has seriously damaged my creditworthiness.

I request a description of the procedure used to determine the accuracy and completeness of the information including the name, business address, and telephone number of any person contacted in connection with your investigation.

Gurpaul S. Sandhu

Gurpaul Sandhu

redacted

November 7, 2002

SENT BY CERTIFIED MAIL: 7100 0000 0000 0000 0473

Experian  
PO Box 9595  
Allen, Texas 75013-9595

Re: Gurpaul Sandhu  
Social Security: 5 redacted  
DOB: redacted

Dear Sir or Madam:

I dispute five accounts listed on my credit report with you. First, Chase Manhattan Mortgage #142 redacted This is an account I co-signed with my father. My father filed bankruptcy yet bankruptcy is associated with me on my credit report. Please delete this account or remove all mention of bankruptcy. I specifically request that your investigation include obtaining any information from a bankruptcy court regarding me filing bankruptcy on this account. None exists!

Chase Manhattan #17204XXXX. I only have the first five digits of this account number because it was truncated on the report I have. This account should be removed or the balance should reflect \$0 as it was paid off when I refinanced my house.

Credit First #98480XXXX. This account is my father's and should be removed from my credit. FNANB/Circuit City #98480XXXX and Future Shop account number (truncated) C16B. These accounts are also my father's and should be removed.

Please investigate these accounts within thirty (30) days and provide me with an update of my credit report. Please also provide the method you used in your reinvestigation including the name and phone number of each person contacted. If you have any questions please do not hesitate to contact me at the above address.

Sincerely,

Gurpaul Sandhu



ATTN: CHRIS GREEN

Gurpaul S. Sandhu

redacted

December 02, 2002  
Reference no.:0183251990-2  
Batch no.:90000009

Dear Gurpaul S. Sandhu:

Recently we received your request for the MBNA America MBNA Platinum Plus MasterCard. We have given your application individual attention and have made every attempt to approve it.

After careful review, we are unable to approve your request at this time. We have determined that you have previously filed bankruptcy. This decision was based on information obtained from your application as well as the credit reporting agency indicated below.

If you have any additional information that would allow us to reconsider our decision, please write to us at MBNA America Bank, N.A., P.O. Box 15023, Wilmington, DE 19850.

Sincerely,

Don Hamilton  
Customer Advocate  
dc

To review the contents of your credit file, please contact:

Trans Union  
P.O.Box 1000  
Chester, PA 19022  
800-888-4213

### Exhibit 3

*Please see important notice on reverse side*

The federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning MBNA America Bank, N.A. is the Office of the Comptroller of the Currency, Customer Assistance Unit, 1301 McKinney St., Suite 3710, Houston TX 77010.

MBNA America Bank, N.A. P.O. Box 15023 Wilmington, Delaware 19850

690-047A

Gurpaul Sandhu  
redacted

December 4, 2002

SENT BY CERTIFIED MAIL: 7100 0000 0000 0000 0589

Experian  
PO Box 9595  
Allen, Texas 75013-9595

Re: Chase Manhattan  
SSN: redacted  
DOB: redacted

Dear Sir or Madam:

This is regarding Chase Manhattan Mortgage account number 147204XXXX. I only have the first five digits of this account number because it was truncated on the report I have. The balance on this account should be reflected as \$0 since I paid off this mortgage when I refinanced my home.

Please investigate this account within thirty (30) days and provide me with an update of my credit report. Please also provide the method you used in your investigation including the name and phone number of each person contacted. If you have any questions please do not hesitate to contact me at the above address.

Sincerely,

Gurpaul Sandhu



**experian**

Prepared for  
GURPAUL SANDHU  
Report number  
3820191346

Report date  
December 11, 2002

Page 3 of 14

**Correction Summary****About our verification process**

The following shows the revision(s) made to your file as a result of our verification.

If you still question an item, then you may want to contact the source of the information personally.

The federal Fair Credit Reporting Act states that you may:

- request a description of how we verified the information, including the business name and address contacted and the telephone number; if reasonably available;
- add a statement disputing the accuracy or completeness of the information; and
- request that we send these results to organizations who have reviewed your report in the past two years for employment purposes or six months for any other purpose (twelve months for residents of Colorado, Maryland, and New York).

If no information follows, our response appeared on the previous page.

**Items we investigated***Items**Outcome***Credit items**

CHASE MANHATTAN MORTGA  
1437....

*Updated*

**Experian**  
NCAC  
P.O. Box 9595  
Allen TX 75013

**If you have questions**

Locate your Report Number, then contact us in one of the following ways:

For efficient, self-directed service, log on to [www.experian.com/consumer](http://www.experian.com/consumer) and select **Request an Investigation**.

For assistance, call  
**800-583-4080**  
M - F 9am - 5pm in your time zone.

Information is updated frequently, so you should **contact us within 90 days** from the date on this report.

**To order a copy of your Experian Credit Score Report, call 1 888 322 5583.**

**Protect and manage your credit with Credit Manager at [www.creditexpert.com/protect](http://www.creditexpert.com/protect).**

0423864545

**experian**

Prepared for  
GURPAUL SANDHU  
Report number  
3820191346

Report date  
December 11, 2002  
www.experian.com/consumer  
Call 800-583-4080

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**Credit items** *continued*

Source/ Account number (except last few digits)	Date opened/ Reported since	Date of status/ Last reported	Type/ Terms/ Monthly payment	Responsibility	Credit limit or original amount/ High balance	Recent balance/ Recent payment	Status Details
4 CHASE MANHATTAN MORTGAGE 10790 RANCHO BERNARDO RD SAN DIEGO CA 92127 1437....	1-2001/ 4-2001	10-2002/ 10-2002	Installment/ 30 Years/ \$2,526	Joint with HARCHHINDE SANDHU	\$240,000 / NA	\$237,758 as of 10-2002/	Status: Open, Never late. Creditor's statement "Primary borrower filed bankruptcy." This item was verified and updated on 12-2002.

THIS ITEM STILL SHOWING BANKRUPTCY REMARKS ABOUT PRIMARY BORROWER?

5  
redacted

6  
redacted

7  
redacted

0423864545 1 402 0/000 0207000



Bank Card Services  
P.O. Box 2035  
Elgin, IL 60120

**FIRST USA**  
A **BANKONE** Company

*ATTN: CHRIS GREEN*

2054 1 MB 0.505  
GURPAUL S. SANDHU

January 10, 2003

redacted

|||||

RE: Application ID # 3323178

Dear GURPAUL S. SANDHU:

Thank you for your recent application for a Business Card credit card account. We regret that we are unable to approve your request.

Your application was processed by a credit scoring system that evaluates applications based on historical performance of large numbers of customers.

The information you provided in your application and information that we acquired did not score well compared with other applicants for the following reason(s):

ACCOUNT(S) NOT PAID AS AGREED AND/OR LEGAL ITEM FILED  
LENGTH OF TIME ACCOUNTS HAVE BEEN ESTABLISHED  
LENGTH OF TIME (OR UNKNOWN TIME) SINCE ACCOUNT DELINQUENT

If we obtained information from a consumer reporting agency as part of our review of your account, its name, address, and telephone number is shown below. The reporting agency played no part in our decision and is unable to supply specific reasons why we have denied credit to you. You have a right under the Fair Credit Reporting Act to know the information contained in your credit file at the consumer reporting agency. You also have a right to a free copy of your report from the credit reporting agency, if you request it no later than 60 days after you receive this notice. In addition, if you find that any information contained in the report you receive is inaccurate or incomplete, you have the right to dispute the matter with the credit reporting agency:

EXPERIAN  
701 EXPERIAN PARKWAY  
ALLEN TX 75013  
888/397-3742

Thank you for your interest in our service. If you wish to discuss this matter further, please feel free to contact us at the number below, being sure to refer to the above mentioned reference number.

Sincerely,

*Claire Coffman*

Claire Coffman  
Credit Card Center - West  
1-800-820-8062

**EQUAL CREDIT OPPORTUNITY ACT NOTICE**

(CREDITOR - FIRST USA BANK, N.A.)

THE FEDERAL EQUAL CREDIT OPPORTUNITY ACT PROHIBITS CREDITORS FROM DISCRIMINATING AGAINST CREDIT APPLICANTS ON THE BASIS OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, MARITAL STATUS, AGE (PROVIDED THAT THE APPLICANT HAS THE CAPACITY TO ENTER INTO A BINDING CONTRACT); BECAUSE ALL OR PART OF THE APPLICANTS INCOME DERIVES FROM ANY PUBLIC ASSISTANCE PROGRAM; OR BECAUSE THE APPLICANT HAS IN GOOD FAITH EXERCISED ANY RIGHT UNDER THE CONSUMER CREDIT PROTECTION ACT. THE FEDERAL AGENCY THAT ADMINISTERS COMPLIANCE WITH THIS LAW CONCERNING THIS CREDITOR IS THE OFFICE OF THE COMPTROLLER OF THE CURRENCY, CUSTOMER ASSISTANCE GROUP, 1301 MCKINNEY AVENUE, SUITE 3710, HOUSTON, TEXAS 77010.

MEMBER FEDERAL DEPOSIT INSURANCE CORPORATION

BC600



P.O. Box 30715 Salt Lake City, UT 84130-0715  
www.advantabusiness.com

FAX 206-686-2558  
FAX TO CHRIS GREEN

January 21, 2004  
Reference No: 4799564

C10  
221/265

GURPAUL S SANDHU

redacted

FROM

PAUL SANDHU

Dear GURPAUL S SANDHU:

Thank you for your recent application for the Advanta Business Card.

We are sorry that we cannot extend the credit you requested at this time. After careful review of your application, your credit history, and Advanta Bank Corp. credit policies, your application was denied for the following reason(s):

An incidence of bankruptcy reported on personal credit bureau

We based our decision, entirely or in part, on a credit report(s) obtained from:

Experian, Inc.  
PO Box 2002  
Allen, TX 75013-2002  
(888)397-3742

If you have any questions regarding your credit report, please contact the agency directly. The report agency is unable to supply specific reasons regarding our credit denial. You have a right under the Fair Credit Reporting Act to know the information contained in your credit file by requesting a free copy of your report from the reporting agency within 60 days of the receipt of this notice. If you find that any information contained in the report is inaccurate or incomplete, you have the right to dispute the matter with the reporting agency. The agency or agencies, which provided information, are listed above.

If you have any questions regarding our decision, please write to us using the address shown at the top of this letter.

Credit Department  
Advanta Bank Corp.

The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided that the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income is derived from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is the Federal Deposit Insurance Corporation with an address at 2345 Grand Boulevard, Suite 100, Kansas City, Missouri 64108.